

REMARKS

This is in response to the Office Action mailed on August 11, 2006. In the Office Action, claims 1-4 were rejected under the judicially created doctrine of double patenting. Reconsideration of this case is respectfully requested in view of the following remarks.

No claims have been amended, cancelled or added by this response. Accordingly, claims 1-4 remain at issue in the patent application.

Applicant believes that no new matter has been added by this response.

I) DOUBLE PATENTING REJECTION

Claims 1-4 were rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 2-5, respectively, of the U.S. Patent No 6,717,924. [Office Action page 2].

Applicant herein submits a timely filed terminal disclaimer to overcome the rejection based on nonstatutory obviousness-type double patenting.

For at least the foregoing reasons, Applicant respectfully requests the withdrawal of the non-statutory double patenting rejection of claims 1-4.

REQUEST FOR ALLOWANCE

In view of the foregoing, Applicant submits that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application are earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

Dated: November 10, 2006

By: /Ramin Mobarhan/
Ramin Mobarhan, Reg. No. 50,182
(858) 658-2447

QUALCOMM Incorporated
5775 Morehouse Drive
San Diego, California 92121
Telephone: (858) 658-5102
Facsimile: (858) 658-2502